

CONGRESSIONAL BRIEFING PAPER

Biointermediates

Consolidated Appropriations Report pg.54

The Committees appreciate the work of the Agency to finalize the rule permitting the production, transfer, and use of biointermediates. The Agency is directed to brief the Committees within 90 days of enactment of this Act on its implementation efforts.

- The Renewable Fuel Standard (RFS) final rule for years 2020, 2021, and 2022 (see 87 FR 39600, July 1, 2022) contained new provisions for the use of certain biointermediates to produce qualifying renewable fuels and specified requirements that apply when renewable fuel is produced through sequential operations at more than one facility. The new provisions cover the production, transfer, and use of biointermediates and include regulatory requirements related to registration, recordkeeping, and reporting for facilities producing or using a biointermediate for renewable fuel production.
- EPA implemented the biointermediates provisions on the effective date of the RFS final rule for years 2020-2022, August 30, 2022. To kick off program implementation, EPA held a virtual workshop on September 29, 2022, to update stakeholders on how to register and comply with the new biointermediate provisions (producing, transferring, and using biointermediates) and generate RINs. EPA also published a web page to provide stakeholders with implementation assistance (<https://www.epa.gov/fuels-registration-reporting-and-compliance-help/biointermediates>).
- EPA has not yet received any biointermediate registration requests.